

Notice of Allowability

Application No.

09/478,235

Examiner

John Pezzlo

Applicant(s)

SALEH, ALI NAJIB

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 18 April 2005.
2. ☒ The allowed claim(s) is/are 1-8, 10-35, 37-69 (renumbered 1-67 respectively).
3. ☒ The drawings filed on 16 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 15 May 2000
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JOHN PEZZLO
PRIMARY EXAMINER

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Cyrus Bharucha on 19 May 2005.

I. The specification has been amended as follows:

1. Page 1, line 6, after "filed 1,15,99," inserted -- now U.S. Patent No. 6,856,627, --.
2. Page 1, lines 10 and 11, after "filed January 15, 1999," inserted -- now U.S. Patent No. 6,724,757, --.
3. Page 1, line 13, after "Application No." deleted "09/232,936" and inserted -- 09/232,396 --.
4. Page 1, line 13, after "filed January 15, 1999" inserted --, now U.S. Patent No. 6,631,134,--.
5. Page 1, line 16, after "Application No." deleted "[_____] Attorney Docket P-7241 US _____], filed herewith," and inserted --60/174,323, filed January 4, 2000, --.
6. Page 1, lines 19 and 20, after "Patent Application No." deleted "[_____] Attorney Docket M-7268 US _____], filed herewith," and inserted -- 09/477,166, filed January 4,2000,--.

Art Unit: 2662

7. Page 1, line 22, after "having" deleted "D. Duschatko and R. Klecka" and inserted -- Ali Najib Saleh, Douglas Duschatko, Lane Byron Quibodeaux --.

8. Page 1, lines 22 and 23, after "Patent Application No." deleted "[_____] Attorney Docket M-7269 US _____], filed herewith," and inserted -- 09/477,217, filed January 4, 2000, now U.S. Patent No. 6,856,600, --.

9. Page 1, line 25, after "September 2, 1999," inserted -- now U.S. Patent No. 6,801,496, --.

10. Page 2, lines 1 and 2, after "Patent Application No." deleted "[_____] Attorney Docket M-7272 US _____], filed herewith," and inserted -- 09/477,498, filed January 4, 2000, --.

II. The claims have been amended as follows:

1. Claim 1, line 14, after "hops" deleted ", and" and inserted -- and at least a requested bandwidth, --

2. Claim 1, line 16, after "cost" deleted ", and" and inserted -- and at least a requested bandwidth, and --.

3. Claim 1, line 17, after "bandwidth" deleted "available".

4. Claim 46, line 19, after "hops" deleted ", and" and inserted -- and at least a requested bandwidth, --

5. Claim 46, line 21, after "cost" deleted ", and" and inserted -- and at least a requested bandwidth, and --.

6. Claim 46, line 22, after "bandwidth" deleted "available".

Art Unit: 2662

7. Claim 54, line 16, after "hops" deleted ", and" and inserted -- and at least a requested bandwidth, --

8. Claim 54, line 18, after "cost" deleted ", and" and inserted -- and at least a requested bandwidth, and --.

9. Claim 54, line 19, after "bandwidth" deleted "available".

10. Claim 62, line 24, after "hops" deleted ", and" and inserted -- and at least a requested bandwidth, --

11. Claim 62, line 26, after "a minimum cost" deleted "." and inserted -- and at least a requested bandwidth, and --.

12. Claim 62, added line 27, -- said minimum cost comprises a cost of a bandwidth along at least a portion of said path. --.

Allowable Subject Matter

Claims 1-8, 10-35, and 37-69 are allowable over the prior art of record.

Conclusion

Claims 1-8, 10-35, and 37-69 being allowable, **Prosecution On The Merits Is Closed** in this application.

Art Unit: 2662

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Rexford et al. (US 6,633,544 B1) discloses an efficient pre-computation of QoS routes.
2. Bertin et al. (US 6,400,681 B1) discloses a method and system for minimizing the connection set-up time in high speed packet switching networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Pezzlo whose telephone number is (571) 272-3090. The examiner can normally be reached on Monday to Friday from 8:30 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C.

or faxed to:

(703) 872-9306

For informal or draft communications, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Jefferson Building

Application/Control Number: 09/478,235

Page 6

Art Unit: 2662


2A15

500 Dulany Street

Alexandria, VA, 22313.

John Pezzlo

25 May 2005


JOHN PEZZLO
PRIMARY EXAMINER